



General Assembly

Substitute Bill No. 239

February Session, 2022



AN ACT PROHIBITING THE USE OF CERTAIN RODENTICIDES FOR THE PROTECTION OF HAWKS, RAPTORS AND OTHER WILDLIFE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2022*) (a) For purposes of this
2 section:

3 (1) "Second-generation anticoagulant rodenticide" means any
4 pesticide product containing any of the following active ingredients:

5 (A) Brodifacoum;

6 (B) Bromadiolone;

7 (C) Difenacoum; or

8 (D) Difethialone.

9 (2) "Wildlife habitat area" means any state park, state wildlife refuge,
10 state forest or state conservancy.

11 (b) The use of any second-generation anticoagulant rodenticide is
12 prohibited in a wildlife habitat area.

13 (c) The Department of Energy and Environmental Protection shall
14 encourage federal agencies in the state to comply with the provisions of

15 subsection (b) of this section.

16 (d) The provisions of this section shall not apply to any of the
17 following uses or locations:

18 (1) The use of second-generation anticoagulant rodenticides by any
19 state employee who uses second-generation anticoagulant rodenticides
20 for public health activities in accordance with any provision of the
21 Public Health Code and in furtherance of such employee's duties;

22 (2) The use of second-generation anticoagulant rodenticides when
23 used by any state employee for the purposes of protecting water supply
24 infrastructure and facilities in a manner that is consistent with all
25 otherwise applicable federal and state laws and regulations and in
26 furtherance of such employee's duties;

27 (3) The use of second-generation anticoagulant rodenticides by a
28 director of health to control mosquito or vector breeding areas in order
29 to protect the public health;

30 (4) The use of any second-generation anticoagulant rodenticides for
31 the eradication of nonnative invasive species inhabiting or found to be
32 present on offshore islands in a manner that is consistent with all
33 otherwise applicable federal and state laws and regulations;

34 (5) The use of any registered second-generation anticoagulant
35 rodenticide to control an actual or potential rodent infestation
36 associated with a public health need, as determined by a supporting
37 declaration from the Commissioner of Public Health or a director of
38 health. For purposes of this subdivision, "public health need" means an
39 urgent, nonroutine situation posing a significant risk to human health
40 in which it is documented that other rodent control alternatives,
41 including nonchemical alternatives, are inadequate to control the rodent
42 infestation;

43 (6) A medical waste generator;

44 (7) Any facility registered annually and subject to inspection under
45 Section 510 of the Federal Food, Drug, and Cosmetic Act, 21 USC 360 et
46 seq. and that is compliant with the Federal Insecticide, Fungicide, and
47 Rodenticide Act, 7 USC 135 et seq.;

48 (8) Agricultural activity. For purposes of this subdivision,
49 "agricultural activity" additionally includes activities conducted in any
50 of the following locations:

51 (A) A warehouse used to store foods for human or animal
52 consumption;

53 (B) An agricultural food production site, including, but not limited
54 to, a slaughterhouse or cannery;

55 (C) A factory, brewery or winery;

56 (D) An agricultural production site housing water storage and
57 conveyance facilities; or

58 (E) An agricultural production site housing rights-of-way and other
59 transportation infrastructure.

60 (e) The Commissioner of Energy and Environmental Protection shall
61 adopt regulations, in accordance with the provisions of chapter 54 of the
62 general statutes, to ensure that the continued use of second-generation
63 anticoagulant rodenticides is not reasonably expected to result in
64 significant adverse effects to nontarget wildlife. Such regulations shall
65 include, but not be limited to, provisions for the use of such rodenticides
66 if the eradication of invasive rodent populations is necessary for the
67 protection of threatened or endangered species or the habitats of such
68 species.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2022	New section

ENV *Joint Favorable Subst.*